

STAFF REPORT

To: Code Rewrite Commission

From: RCDG Rewrite Team

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Date: May 17, 2010

Title: Downtown Zones

File Number: L090380

Recommended Action: Recommend approval of:

- Rewriting RCDG 20C.40 – Downtown as proposed in Exhibit A
- Rewriting related definitions in RCDG Title 20A – Definitions as proposed in Exhibit B

**Reasons the Proposal
should be Adopted:**

- The proposal is consistent with the mission statement adopted for the 2009-2011 Code Rewrite, as detailed in section IV.B.1 below.
- The proposal is consistent with all of the applicable Code Organization principles, as detailed in section IV.B.2 below.
- The proposal is consistent with all of the applicable Code Regulations principles, as detailed in section IV.B.3 below.
- The proposal is consistent with all of the applicable Permit Review Procedure principles, as detailed in section IV.B.4 below.

Executive Summary: The Downtown package contains regulations for the twelve zones within Downtown. As described in the report below, the primary changes recommended by staff are organizational and formatting in nature and include few substantive changes. All changes are described below and in the attached Existing to Proposed Code Crosswalk (Exhibit C).

Staff held an open office event on April 15, 2010 from 3:00 to 6:30 pm in the Trestle Room at City Hall. Eleven stakeholders attended the event, which provided information on three other code rewrite packages in addition to Downtown. No significant comments were received at this event on the Downtown materials that were available.

I. APPLICANT PROPOSAL

A. APPLICANT

The City of Redmond

B. REASON FOR PROPOSAL

The 2009-2011 Code Rewrite project was identified and approved through the 2009-2010 Budgeting by Priorities process. It commenced in January 2009 and will continue through 2010, with the goal of final adoption of a new zoning code by spring 2011. Phase I of the project included an evaluation of the existing RCDG, determined the scope of the rewrite, and developed a mission statement and four sets of guiding principles for the rewrite, including organization, regulations, permit review procedures, and zoning code update and adoption process.

The existing Redmond Community Development Guide (RCDG) has been divided into topic based packages of code sections. Each rewritten section of code must be consistent with the mission statement and sets of guiding principles, as noted below.

The Downtown package includes one existing chapter of the code which contains regulations for twelve Downtown zones. Staff proposes to remedy the following deficiencies with respect to code rewrite principles:

- There is far more text than is necessary to guide users through the chapter and much of this text could be presented in clearer formats, such as tables, maps or illustrations or moved to the Definitions chapter.
- The proliferation of footnotes makes the tables difficult to use and, due to the substantive nature of some footnotes, regulations are likely to be missed.
- Many provisions of the provisions are design standards and should be relocated to the Design Standards chapter.

- Process requirements are included within the chapter, including Administrative Design Flexibility and should be located within the Procedures Chapter.
- Uses listed here are not consistent across other zones within the City.
- Maximum development potential in each zone is not clear.

C. PROPOSAL SUMMARY

A summary of changes proposed in the Downtown package is below. An analysis of how these changes achieve code rewrite objectives is contained in Section IV.B of this report.

- Reorganize the Downtown chapter to have the following structure similar to Overlake Village, which will be reviewed concurrently with Downtown:
 1. Purpose
 2. Subarea map
 3. Zone-specific regulations
 4. Building height
 5. Parking standards
 6. Residential usable open space
 7. Landscaping
 8. Pedestrian System requirements
 9. Using Transfer Development Rights
 10. Cross-references
- Eliminate footnotes
- Remove regulations that duplicate citywide standards or that are better located in the Administration and Procedures or Definitions chapters
- Adopt a standard set of land use names, using the Land-Based Classification System as a principal guide

A crosswalk from the existing code to the proposed code is provided as Exhibit C.

None of the proposed code changes outlined above are a departure from existing policy, or change how the existing regulations are implemented.

II. ALTERNATIVES

- Recommend approval of amendments as proposed by staff and as shown in Exhibits A (other exhibits provided for reference only);
- Recommend no changes to the RCDG; or,

- Recommend approval of a modified version of staff's proposed amendments.

III. RECOMMENDATION

City staff recommends approval of:

- Rewriting RCDG 20C.40 – Downtown as proposed in Exhibit A

IV. SUPPORTING ANALYSIS: FACTS AND CONCLUSIONS

A. EXISTING CONDITIONS

Like most cities in the United States, Redmond zones land for particular sets of uses that are similar to one another to a certain degree, or, in the case of mixed-use zones, compatible with one another. The purpose of the Downtown zones is to provide for multi-family, office and retail development within the Downtown Urban Center. Allowed uses in the subject zones include a variety of commercial office, retail and service uses as well as residential uses in an effort to promote development of a mixed-use place.

The Downtown Element and Downtown Regulations were adopted as recently as Fall 2006. Though the code was fairly recently updated, it was developed using the existing code as a base and contains even some provisions that could be improved. The main issues that should be addressed as part of the rewrite include:

- Regulations that apply to all zones and those that are specific to each of the twelve zones are intermixed and not organized clearly;
- There is far more text than is necessary to guide users through the chapter;
- The proliferation of footnotes makes tables very difficult to use and substantive regulations easy to miss;
- Many provisions are duplicative of citywide standards;
- There is a mixture of regulations, process and definitions, and some provisions are better located elsewhere in the code; and
- Uses listed are not consistent across other zones within the City.

The changes proposed by staff are intended to enhance implementation of the City's existing policies, rather than address legal deficiencies or issues of public harm. (The code itself addresses public harm, but staff does not propose changes to those provisions.) Major policy direction that is supported by this rewrite includes:

- Urban centers: Policies LU-43 to LU-45 in the Comprehensive Plan identify Downtown and Overlake as major activity and employment centers that meet the regional criteria for designation as urban centers. The policies call for the City to direct the majority of Redmond's employment and housing growth to these two areas and should emphasize multi-modal mobility.

- Commercial land uses: Policies LU-36 to LU-42 call for the City to maintain a “well-distributed system of commercial uses” that serve the needs of the community, are attractive, mixed-use, and range in scale from serving the neighborhood to serving the region. The policies also call for maintaining the Downtown as the City’s major retail, service, entertainment and cultural center.
- Land use compatibility: Policies LU-8 to LU-13 address land use compatibility. The policies direct the City to minimize adverse impacts on lower intensity uses, but also support businesses that comply with performance standards, such as noise and light limits.

The zones themselves implement this policy direction well. However, the existing chapter containing regulations for these zones does not do so in a friendly or efficient manner. Staff recommends a major overhaul primarily to the organization and formatting of these zones, without deviating from policy direction.

Consistent with the Code Rewrite Commission’s direction, staff recommends four broad changes to the existing Downtown chapter to better implement Comprehensive Plan policy, and to meet the guiding principles of the code rewrite, as described in I.C above.

B. COMPLIANCE WITH CODE REWRITE MISSION AND PRINCIPLES

Amendments considered as part of the 2009-11 Code Rewrite must be consistent with the mission statement and guiding principles of the 2009-11 Code Rewrite.

The following is an analysis of how this proposal complies with the criteria for amendments.

1. Consistency with mission statement for 2009-11 Code Rewrite.

The proposed amendments:

- Improve clarity, conciseness, predictability, and usability by reducing duplication and unnecessary text, and clearly conveying use and bulk regulations for specific land areas;
- Honor Council direction regarding specific uses; and
- Implement Comprehensive Plan policies identified in section IV.A above.

2. Consistency with principles for code organization.

The changes proposed for the Downtown package are consistent with the following applicable principles.

Principle	Applies	Explanation
<i>Group and consolidate regulations in a simple, logical, and efficient structure, and provide clear references to relevant code sections when they are separated from core information.</i>	X	The organization of the chapter is proposed to be simplified and to be consistent with the Overlake Village chapter; references are provided to other parts of the zoning code that are important for users to read.
<i>Provide visual aids to guide the user and to explain the relationship between various sections of the document.</i>	X	Each zone includes a “maximum yield” section that visually aids the user in determining the maximum development intensity; various provisions currently found in the text are converted to graphic or table form for ease of use.
<i>Place basic regulations in obvious locations, outside of footnotes and other easy-to-miss places.</i>	X	Each zone includes a use and bulk standards table displaying basic standards by use; footnotes are eliminated.
<i>Separate definitions, procedures, and regulations.</i>	X	Definitions of land uses are incorporated into the Definitions chapter; definitions of site requirements are consolidated in another chapter; provisions related to procedures are incorporated into the Administration and Procedures chapter.
<i>Clearly identify when citywide regulations apply and when unique regulations apply.</i>	X	Consistent with other zones, a separate chapter will be developed to guide users through citywide requirements.
<i>Reduce complexity and eliminate excessive detail to make the code easier to use, navigate, and search.</i>	X	Much text that duplicated citywide standards is proposed to be eliminated; provisions related to design are proposed to be integrated in the Design Standards chapter.

3. Consistency with principles for regulations.

The changes proposed for the Downtown package are consistent with the following applicable principles.

Principle	Applies	Explanation
<i>Carry out the Comprehensive Plan with a clear connection to adopted policies.</i>	X	The purpose statement for each zone chapter adheres closely to Comprehensive Plan policy.
<i>Convey expectations of quality clearly and succinctly with illustrations and examples.</i>		
<i>Identify opportunities to promote sustainable development practices.</i>		
<i>Provide flexibility and predictability within defined limits as a method of meeting the intent of regulations.</i>	X	Site requirements are clearly laid-out for each use in each zone.
<i>Use easily-understood language, with defined legal and technical terms where useful. Avoid multiple definitions of terms.</i>	X	Standard land use definitions are proposed to be adopted; definitions of site requirements are proposed to be consolidated.
<i>Clearly convey maximum development potential.</i>	X	Each zone has a table and visual aid to achieve this principle.

4. Consistency with principles for permit review procedures.

The changes proposed for the Downtown package are consistent with the following applicable principles.

Principle	Applies	Explanation
<i>Incorporate legal review into the early stages of code revision.</i>	X	The City Attorney is involved in all code drafting.
<i>Provide early notice, and opportunities for timely input corresponding to the land use action proposed.</i>		
<i>Ensure that decision-making timelines meet or are quicker than statutory requirements,</i>		

Principle	Applies	Explanation
<i>without compromising opportunities for public input.</i>		
<i>Use an administrative review process for certain permits where there are clear approval criteria that ensure the City's goals and visions are being met.</i>		
<i>Describe the code's procedures clearly and succinctly. Use brochures and online information to help users understand the review processes.</i>		
<i>Consolidate multiple permits, related to a proposal to make the process more understandable and accessible.</i>		

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. Process to Amend the Redmond Community Development Guide during the 2009-11 Code Rewrite

The Redmond Code Rewrite Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendments.

RCDG Sections 20F.30.15 and 20F.30.55 require that amendments to the text of the RCDG considered as part of the 2009-11 Code Rewrite be reviewed under the Type VI process. Under this process, the Code Rewrite Commission conducts a study session(s) and an open record hearing(s) on the proposed amendment, subsequently making a recommendation to the City Council. The City Council is the decision-making body for this process.

C. 60-Day State Agency Review

State agencies were sent 60-day notice of this proposed amendment on May 17, 2010.

D. Public Involvement

Staff held an open office event on April 15, 2010 from 3:00 – 6:30 pm in the Trestle Room at City Hall to provide draft concepts, including a draft outline of the zone chapters to the public and seek feedback. In addition to Downtown, information was available for the Overlake, Land Division/Performance Bonding/Telecommunications, and Design Standards/Manuals packages. Eleven people attended the event which was advertised through the Code Rewrite weekly e-newsletter, a postcard mailed to approximately 1,000

people identified as stakeholders of these four packages, on RCTV and the web, and in the Chamber monthly newsletter.

The public has additional opportunities to comment on the proposed amendments through the Code Rewrite Commission review process and public hearing scheduled for June 7, 2010.

E. Appeals

RCDG 20F.30.55 identifies Development Guide Amendments as a Type VI permit. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the board's requirements.

VII. LIST OF EXHIBITS

Exhibit A: Recommended Amendment to RCDG 20C.40 – Downtown

Exhibit B: Recommended Amendment to RCDG 20A – Definitions

Exhibit C: Existing to Proposed Code Crosswalk

Robert G. Odle, Planning Director

Date

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